

05-28-04

1fw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Therrien, et al.

SERIAL NUMBER : 10/659,129

EXAMINER : Not Yet Assigned

FILING DATE : September 10, 2003

ART UNIT : 2133

FOR : METHOD AND APPARATUS FOR INTEGRATING PRIMARY DATA
STORAGE WITH LOCAL AND REMOTE DATA PROTECTION

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of Cited References: A4-25, C2-4; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 25452-013. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

C. Eric Schulman, Esq., Reg. No. 43,350
Attorney(s) for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

Address all written correspondence to

Customer no.: 30623

Tel: (617) 542-6000

Fax: (617) 542-2241

Date: May 27, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Therrien, et al.

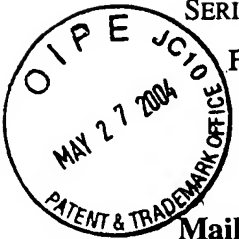
SERIAL NUMBER : 10/659,129

EXAMINER : Not Yet Assigned

FILING DATE : September 10, 2003

ART UNIT : 2133

FOR : METHOD AND APPARATUS FOR INTEGRATING PRIMARY DATA
STORAGE WITH LOCAL AND REMOTE DATA PROTECTION



Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

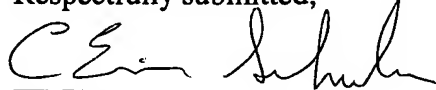
By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Therrien, et al.
U.S.S.N.: 10/659,129

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 25452-013.

Respectfully submitted,



C. Eric Schulman, Esq., Reg. No. 43,350
Attorney(s) for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

Address all written correspondence to

Customer no.: 30623

Tel: (617) 542-6000

Fax: (617) 542-2241

Date: May 27, 2004

TRA 1923306v1

Please type a plus sign (+) in this box +

Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/659,129</td> </tr> <tr> <td>Filing Date</td> <td>September 10, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Therrien</td> </tr> <tr> <td>Group Art Unit</td> <td>2133</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>25452-013</td> </tr> </table>	Application Number	10/659,129	Filing Date	September 10, 2003	First Named Inventor	Therrien	Group Art Unit	2133	Examiner Name	Not Yet Assigned	Attorney Docket Number	25452-013
Application Number	10/659,129												
Filing Date	September 10, 2003												
First Named Inventor	Therrien												
Group Art Unit	2133												
Examiner Name	Not Yet Assigned												
Attorney Docket Number	25452-013												

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A4	5,155,845	10/13/92	Beal, et al.	395	575	
	A5	5,379,418	01/03/95	Shimazaki, et al.	395	575	
	A6	5,544,347	08/06/96	Yanai, et al.	395	489	
	A7	5,564,037	10/08/96	Lam	395	488	
	A8	5,633,999	05/27/97	Clowes, et al.	395	182.04	
	A9	5,764,972	06/09/98	Crouse, et al.	395	601	
	A10	5,778,395	07/07/98	Whiting, et al.	707	204	
	A11	5,857,112	01/05/99	Hashemi, et al.	395	828	
	A12	5,893,919	04/13/99	Sarkozy, et al.	711	114	
	A13	5,960,169	09/28/99	Styczinski	395	182.04	
	A14	5,966,730	10/12/99	Zulch	711	162	
	A15	6,023,709	02/08/00	Anglin, et al.	707	204	
	A16	6,073,209	06/06/00	Bergsten	711	114	
	A17	6,163,856	12/19/00	Dion, et al.	714	4	
	A18	6,269,424 B1	07/31/01	Katsuragi, et al.	711	114	
	A19	6,330,572 B1	12/11/01	Sitka	707	205	
	A20	6,446,175 B1	09/03/02	West, et al.	711	162	
	A21	6,453,339 B1	09/17/02	Schultz, et al.	709	206	
	A22	6,546,404 B1	04/08/03	Davis, et al.	707	204	
	A23	6,643,795 B1	11/04/03	Sicola, et al.	714	6	

U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A24	2002/0059539 A1	05/16/02	David B. Anderson	714	6	
	A25	2002/0107877 A1	08/08/02	Whiting, et al.	707	204	

FOREIGN PATENT DOCUMENTS							
--------------------------	--	--	--	--	--	--	--



Express Mail Label: EV 392157380 US
Date of Deposit: May 27, 2004

Page 2 of 2
Attorney Docket No.: 25452-013

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.			
	C2	Garcia-Molina, et al., 35 th IEEE Computer Society International Conference, pgs. 573-577 (1990).			
	C3	Lyon, J., 35 th IEEE Computer Society International Conference, pgs. 562-567 (1990).			
	C4	Mohan, et al., Proceedings of the 9 th International Conference on Data Engineering, pgs. 511-518 (1993).			

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 1923298v1